

## REMARKS

### Claim Rejections - 35 USC §103

The examiner rejected claims 1-12 under 35 USC §103(a) as unpatentable over Puckette (US Patent 6,385,721) in view of Assaf (US Patent 5,966,732) and further in view of Bates (US Patent 6,367,074). The applicants respectfully submit that the claims as previously pending are patentably distinct over the cited references or any combination thereof. Claims 1 and 7, however, have been amended to define further features of applicants' inventions not found in the prior art.

Claim 1 has been amended to recite a disk drive including a disk controller configured to receive a command from a computer system to read a host-selected master boot record, and to send in place of the host-selected master boot record a drive-selected boot record to the computer system in response to receipt of the command. Claim 7 has been amended to recite a disk drive including a disk controller configured to receive a command from a host computer to read a host-selected master boot record, and to send in place of the host-selected master boot record a drive-selected boot record to the host computer in response to receipt of the command. The rejection should be withdrawn since the relied upon prior art does not disclose or suggest these structures in the amended claims.

The examiner asserts that Puckette discloses in FIG. 1 a disk drive (mass storage device 30) that includes BIOS 14 for selecting between a master boot record and a drive-selected boot record. This interpretation of Puckette is patently incorrect. FIG. 1 clearly shows that the BIOS 14 is part of element 12 as delineated by the dashed lines. Element 12 is separate from the disk drive 30 as described at col. 5, lines 59-62 "...BIOS 14 [is] stored in a device such as ROM, EEPROM, or Flash to name a few. The cache 42, system RAM 22, CMOS 32, and BIOS 14 are typically referred to as the 'memory' of the

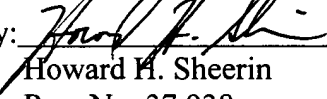
CPU 40.” Thus, the BIOS 14 disclosed by Puckette is stored in a separate memory device and forms part of “the memory of the CPU” not the memory of the disk drive 30. Therefore, Puckette does not disclose a disk drive including a disk controller configured to receive a command to read a host-selected master boot record, and to send in place of the host-selected master boot record a drive-selected boot record.

The rejections of the remaining, dependent claims should be withdrawn for at least the reasons set forth above.

CONCLUSION

The above claim amendments do not raise new issues or add new matter; the applicants respectfully request that the examiner enter the amendments. The examiner is encouraged to contact the undersigned over the telephone in order to resolve any remaining issues that may prevent the immediate allowance of the present application.

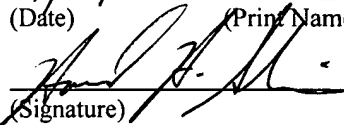
Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

9/20/05 Howard H. Sheerin  
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